



**DEPARTMENT OF PERSONNEL**

209 E. Musser Street, Room 101  
Carson City, Nevada 89701-4204  
(775) 684-0150  
[www.state.nv.us/personnel/](http://www.state.nv.us/personnel/)

**MEMO PERD #20/03**

July 2, 2003

TO: Department Directors  
Division Administrators

FROM: Jeanne Greene, Director  
Department of Personnel

SUBJECT: 2003 Legislation

Although the 2003 Legislature continues to debate budget and revenue issues, there are a number of provisions affecting State agencies and employees that have been approved. The following is a brief overview of some of the more noteworthy changes:

AB 160 allows law enforcement officers to deliver protective orders as well as orders to withhold child support to employers' personnel offices. The employer must then make a good faith effort to serve the targeted employee with those orders. The Department of Personnel is currently seeking clarification of this legislation, which becomes effective 10/1/03. If necessary, we will provide policy guidance to agencies prior to its implementation.

AB 217 allows agencies some flexibility in hours of operation other than Monday through Friday, 8am-5pm, when it's more efficient for the transaction of business and more convenient for the customers/clients for whom services are provided. The Legislature has asked the Department of Personnel to submit a report to the 2005 Legislature identifying agencies that have varied their hours of operation and the reasons for the variations. Therefore, we will be conducting a survey of all agencies in the fall of 2004 to compile the requested information.

AB 217 also allows employees, with the approval of their appointing authority, to use their accrued annual leave to repay overpayments of compensation. Employees could use this provision to pay off any overpayment including their anticipated week liabilities. However, these transactions require agency salary savings as the cash-out of annual leave would have budgetary impact. The Department of Personnel's Payroll Section will be developing procedures by August 1 to assist agencies in implementing this Legislation.

AB 392 increases longevity payments for employees who have 15 or more years of service. The increase will be applied to the longevity payments issued July 11, 2003.

AB 555 sets maximum salaries for unclassified employees, moves Pharmacists to the classified medical pay schedule, and provides for a 2% cost of living increase on July 1, 2004, for all State employees. These provisions will be implemented beginning July 1 through changes in the IFS – HR System and completion of ESMT documents by the agencies.

SB 297 prohibits the unlawful use of personal identifying information (i.e., social security numbers) and specifies that public employees who unlawfully use or aid another in the unlawful use of personal identifying information are guilty of a felony. Again, the Department of Personnel will be researching this issue further and; if necessary, we will provide appropriate guidance. This measure becomes effective on 10/1/03.

SB 331 allows the Chair of the Employee-Management Committee to subpoena witnesses and records in conjunction with grievance hearings. The party that requests the subpoena will be responsible for any travel or per diem costs incurred by the witness. This provision will become effective on July 1, 2003. The Department of Personnel will assist the EMC in developing procedures for issuing subpoenas and reimbursing witnesses for travel expenses.

SB 331 also requires an appointing authority to advise an employee, who is the subject of an administrative investigation, of allegations against him before he is questioned, if the allegations could lead to a suspension, demotion or dismissal. The notification must be in writing and the employee must be given at least two working days to obtain an attorney or representative before he is questioned. This provision becomes effective July 1, 2003. The Department of Personnel will be developing procedural guides in the near future, and we will also review regulations for possible revisions. In the meantime, please consult with your Deputy Attorney General if you have questions about the application of SB 331 to a specific disciplinary situation.

It should also be noted that an increase in retirement rates was approved by the Legislature through the budget approval process. The increase is effective the first full pay period in July and will affect all employees except those on the Police/Fire Retirement Plan. You may already be aware that this increase results in a reduction in the hourly rate for all employees on the Employer Paid Retirement Plan. The Department of Personnel will be sending a news bulletin to employees, describing this as well as other legislative changes. However, you may receive questions from employees as they become aware of the pay reduction.

I hope this information is useful to you. If you have any questions or need additional information about the implementation of these legislation items, please let me know.

JG:sq

cc: Agency Personnel Liaisons  
Agency Personnel Representatives